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5 Attorneys for Defendant  
RAE SYSTEMS INC.  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION  
11

12 POLIMASTER LTD., NA&SE TRADING  
CO., LIMITED,

13 Plaintiffs,

14 v.

15 RAE SYSTEMS INC.

16 Defendant.  
17

CASE NO. C 05-01887- JF HRL

**NOTICE OF SUBSTITUTION OF COUNSEL  
AND ~~PROPOSED~~ ORDER**

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Please take notice that effective immediately, defendant RAE Systems Inc. hereby  
3 substitutes John P. Flynn and McLeod & Witham LLP, in place of Latham & Watkins LLP, as  
4 its counsel of record in this action. The contact information for Mr. Flynn and McLeod &  
5 Witham LLP is as follows:

6  
7 John P. Flynn  
8 McLeod & Witham LLP  
9 505 Montgomery Street, 11th Floor  
10 San Francisco, CA 94111  
11 jpf@mcleodwitham.com  
12 Tel: (415) 874-3410  
13 Fax: (415) 874-3001

14 Dated: January 6, 2009

15 By /s/ John P. Flynn  
16 John P. Flynn  
17 Attorneys for Defendant  
18 RAE SYSTEMS INC.

19 CONSENT TO SUBSTITUTION

20 Latham & Watkins LLP hereby consents to this substitution.

21 Dated: January 6, 2009

22 LATHAM & WATKINS LLP  
23 By /s/ [Signature]  
24 Peter A. Wald  
25 Tracy L. Orick  
26 Former Attorneys for Defendant  
27 RAE SYSTEMS INC.

28 [PROPOSED] ORDER

IT IS SO ORDERED.

29 Dated: 1/26, 2009

30 [Signature]  
31 THE HON. JEREMY D. FOGEL  
32 UNITED STATES DISTRICT JUDGE

**PROOF OF SERVICE**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to this action. My business address is McLeod & Witham LLP, 707 Wilshire Boulevard, Suite 4125, Los Angeles, CA 90017.

On January 8, 2009, I served the following document described as:

**NOTICE OF SUBSTITUTION OF COUNSEL AND [PROPOSED] ORDER**

by serving two copies of the above-described document in the following manner:

**BY OVERNIGHT MAIL DELIVERY**

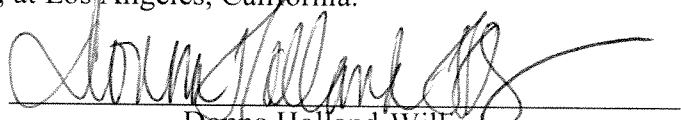
I am familiar with the office practice of McLeod & Witham LLP for collecting and processing documents for overnight mail delivery by Federal Express. Under that practice, documents are deposited with the McLeod & Witham LLP personnel responsible for depositing documents in a post office, mailbox, subpost office, substation, mail chute, or other like facility regularly maintained for receipt of overnight mail by Federal Express; such documents are delivered for overnight mail delivery by Federal Express on that same day in the ordinary course of business, with delivery fees thereon fully prepaid and/or provided for. I deposited in McLeod & Witham LLPs' interoffice mail a sealed envelope or package containing the above-described documents and addressed as set forth below in accordance with the office practice of McLeod & Witham LLP for collecting and processing documents for overnight mail delivery by Federal Express:

Kevin R. Garden  
The Garden Law Firm P.C.  
211 North Union Street, Suite 100  
Alexandria, VA 22314

Gary Livaich  
Desmond Nolan Livaich & Cunningham  
15th and S Building  
1830 15th Street  
Sacramento, CA 95814

I declare that I am employed in the office of a member of the Bar of, or permitted to practice before, this Court at whose direction the service was made and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 8, 2009, at Los Angeles, California.

  
Donna Holland-Williams